

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:)	
)	
UNITED STAFF NURSES UNION, LOCAL)	
141, affiliated with the UNITED)	CASE 8090-E-89-1370
FOOD AND COMMERCIAL WORKERS,)	
AFL-CIO)	DECISION 3315-A - PECB
)	
Involving certain employees of:)	
)	ORDER ON CHALLENGED BALLOTS
FORKS COMMUNITY HOSPITAL)	
)	
)	
)	

United Staff Nurses Union, Local 141, (USNU) affiliated with the United Food and Commercial Workers, AFL-CIO, (UFCW) filed a petition for investigation of a question concerning representation with the Public Employment Relations Commission on July 18, 1989, seeking certification under Chapter 41.56 RCW and Chapter 391-25 WAC as exclusive bargaining representative of certain registered nurses employed by Public Hospital District 1 of Clallam County, d/b/a Forks Community Hospital. The Washington State Nurses Association (WSNA) was granted intervention in the proceedings, based on its status as the incumbent exclusive bargaining representative of the petitioned-for employees. District 1199NW, an affiliate of the Service Employees International Union, AFL-CIO, was granted intervention in the proceedings based upon a showing of interest.

A pre-hearing conference was held on August 23, 1989, and a statement of results of pre-hearing conference was issued. The Executive Director considered the stipulations and positions of the parties, as framed at the pre-hearing conference and their correspondence, and issued a summary order on October 16, 1989, directing an election.

The Commission conducted a representation election by mail ballot. The tally of ballots reflected that there were approximately 26 eligible voters, including four employees whose eligibility was challenged in pre-election proceedings. United Staff Nurses Union, Local 141, received 13 votes; Washington State Nurses Association received one vote; and District 1199NW, National Union of Hospital and Health Care Employees, received two votes. Only three challenged ballots were cast, but they appeared to affect the outcome of the election. Issues appeared to exist as to whether a runoff election should be held and, if so, what choices should be on the runoff ballot.

The positions of the parties were solicited. The employer sent a letter on December 8, 1989, explaining its position concerning the status of the challenged voters. Of particular interest is the employment status of Kris Hatfield, an individual who had been challenged because of her "dual status" as an employee of the hospital as well as an employee of a nearby private medical office. According to the employer's information, Ms. Hatfield terminated her employment with the hospital on September 18, 1989, a date prior to the issuance of the order directing the election.¹ It thus appeared that Hatfield's name should have been removed from the eligibility list before the mail ballots were issued.

On April 4, 1990, the parties were directed to show good cause on or before April 14, 1990 as to why Hatfield's should not be stricken from the eligibility list and a revised eligibility list prepared reflecting only 25 employees. Nothing has been heard or received from any party.

¹ In the absence of different indication within the order, the "eligibility cut off date" for the election was automatically the date of the Executive Director's order. WAC 391-25-390.

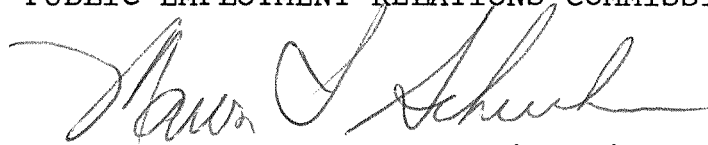
NOW, THEREFORE, it is

ORDERED

1. The name of Kris Hatfield is stricken from the list of eligible voters in this proceeding.
2. A revised tally of ballots is issued herewith.

DATED at Olympia, Washington, this 19th day of April, 1990.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARVIN L. SCHURKE, Executive Director

This order may be appealed
by filing objections
pursuant to WAC 391-25-590.

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

AMENDED
TALLY SHEET

NAME OF EMPLOYER Forks Community Hospital

CASE NUMBER 8090-E-89-1370

PART 1 - CROSS-CHECK OF RECORDS

The undersigned agent of the Public Employment Relations Commission certifies that he/she has conducted a cross-check of records in the above case, and that the results were as follows:

Number of Employees in Bargaining Unit.....
Number of Employee Records Examined.....
Number of Employee Records Counted as Valid Evidence of Representation...

PART 2 - SECRET BALLOT ELECTION

The undersigned agent of the Public Employment Relations Commission certifies that the results of the tabulation of ballots cast in the election held in the above case, and concluded on the date indicated below, were as follows:

- 1. Approximate number of eligible voters..... 25
- 2. Void Ballots.....
- 3. Votes Cast For: USNU, Local 141, UFCW ... 13
- 4. Votes Cast For: WSNA ... 1
- 5. Votes Cast For: District 1199NW, SEIU ... 2
- 6. Votes Cast For: NO REPRESENTATION..... 0
- 7. Valid Ballots Counted.(total of 3, 4, 5, and 6)..... 16
- 8. Challenged Ballots..... 3
- 9. Valid Ballots Counted plus Challenged Ballots (total of 7 and 8)..... 19
- 10. Number of Valid Ballots Needed to Determine Election..... 13

Challenges are sufficient in number to affect the results of the election.
 are not

The results of the election appear to be inconclusive.
 conclusive favoring choice on line 3

PUBLIC EMPLOYMENT RELATIONS COMMISSION

DATE ISSUED _____

By Maura J. Schucke

The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally.

For _____

For _____

For _____

For _____